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Letter dated 12 January 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On 14 October 2003, the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001) (the Counter-Terrorism Committee) submitted a work programme for the ninth 90-day period (S/2003/995). Annexed hereto is the Committee's work programme for the tenth 90-day period, which covers the months from January to March 2004 (see annex).

The Committee will continue to work with States on verifying the implementation of resolution 1373 (2001), operating on the principles of cooperation, transparency and equal treatment. The Committee's main objectives will continue to be maintaining and strengthening the consensus within the international community on the importance of combating terrorism, with particular emphasis on establishing practical measures designed to increase the means available to States to combat terrorism; helping to identify the problems faced by States in implementing resolution 1373 (2001) and attempting to find solutions to them; and contributing to the process of increasing the number of States that are parties to the international conventions and protocols relating to counter-terrorism. All of these tasks contribute to the Committee's mandate, as set out by paragraph 6 of the resolution, to monitor its implementation.

In order to attain those general objectives, the Committee will continue its work in the areas of technical assistance and cooperation with international organizations in accordance with the decisions adopted within the Committee.

The Committee welcomes the support it has received from Member States, the United Nations Secretariat and international, regional and subregional organizations, and pays tribute to its team of experts for their contribution.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex to the letter dated 12 January 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

Work programme of the Counter-Terrorism Committee (1 January-31 March 2004)

1. The present document sets out the work programme of the Counter-Terrorism Committee for its tenth 90-day period, from 1 January to 31 March 2004. This work programme updates that submitted for the ninth 90-day period (S/2003/995, annex).

Summary

2. The Committee will:

(a) By 31 January:

(i) Continue to circulate the matrix on a monthly basis, with a view to identifying assistance needs and offers;

(ii) Submit a report about the measures to be taken to tackle the problems identified in its report of 14 November 2003;

(iii) Through its Chairman, have presented a briefing to interested delegations about the work of the Committee;

(iv) Complete the review of 25 further reports;

(b) By 29 February:

Complete the review of 25 further reports;

(c) By 31 March:

(i) Review the conclusions of the meeting between international, regional and subregional organizations which will take place in Vienna on 12 March, hosted by the Organization for Security and Cooperation in Europe;

(ii) Complete the review of 15 further reports.

I. Implementation of resolution 1373 (2001)

3. The Committee and its subcommittees will continue to review the reports submitted by States pursuant to paragraph 6 of resolution 1373 (2001). The number of both the reports studied and of the letters sent by the Committee will decrease as the complexity of the issues covered therein increases. The Committee's work can no longer be measured by mere statistics, but by the depth of its analysis.

4. By 5 January 2004, the Committee had received 461 reports from States and others. They include first reports from 191 Member States and 5 from others, 158 second reports from Member States and 2 from others, 100 third reports from Member States and 5 fourth reports from Member States. As indicated earlier, all States have submitted their first reports.

5. Nevertheless, it should also be noted that by 5 January 2004, 65 States had missed the deadlines for submission of their reports. The Committee urges all States that have not submitted their reports on time to submit them as soon as possible, in fulfilment of the provisions of resolution 1373 (2001). The Committee remains ready to work with them to find a way to progress towards the common objective of combating terrorism in the terms established by resolution 1373 (2001). The Chairman of the Committee will continue to inform the Security Council about the list of States late in submitting their reports. The list will be submitted to the Council every six months, at the time of the Chairman's report to the Council, and will include the States (if any) that have contacted the Committee and those that have asked for assistance.

6. In accordance with resolution 1456 (2003), the Committee will continue to report regularly on progress made by States regarding their obligation to report to the Security Council pursuant to paragraph 6 of resolution 1373 (2001).

7. Bearing in mind the call for all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, contained in paragraph 3 (d) of Security Council resolution 1373 (2001) and paragraph 2 (a) of the declaration annexed to Security Council resolution 1456 (2003), the Committee will remain committed to ensuring that the largest possible number of States become party to the 12 pertinent international conventions and protocols and incorporate that important body of international law into their domestic legislation. The Committee will study the question in order to identify the reasons for the low degree of participation in certain regions and will consider initiatives to encourage and assist Member States to become parties to the 12 pertinent international conventions and protocols.

II. Work of the Committee

8. On 14 November 2003, the Chair, in accordance with paragraph 2 (a) of the ninth work programme, submitted to the President of the Security Council a report on the problems in the implementation of resolution 1373 (2001), both for Member States and for the Committee itself. The report identified several fields in which States are having difficulties. These areas include: financing of terrorism, competence of the courts, ratification of the 12 international conventions and protocols without enforcement measures, links between terrorism and organized crime (drugs, weapons, contraband, etc.) and links between terrorism and illegal movement of nuclear, chemical, biological and other potentially deadly materials.

9. The Committee has also agreed that in order to fulfil its obligations under resolution 1373 (2001), it should strengthen its efforts in the facilitation of technical assistance and reinforcing coordination and cooperation with international, regional and subregional organizations, as stated in the 14 November report of the Chair to the Security Council.

10. The Committee has identified several problems within its own structure and proceedings. The first one relates to the present functions and working methods of the Chair, the secretariat and the experts. The second includes the lack of proper financial accountability and of an active communications policy. Also, the Committee's present procedures should be reconsidered in several areas (reconsidering stages A, B and C; the need for consistency in the Committee's output; the Committee's decision-making mechanism; adequate follow-up of the

Committee's decisions; and the need to broaden the Committee's present information sources).

11. The Committee will submit a report to the Security Council outlining specific practical measures to be taken in order to comply with the Committee's task of implementing resolution 1373 (2001). If necessary, the Chair can add a commentary to the report containing its own views on any specific subjects.

12. While pursuing a case-by-case approach in monitoring the implementation of resolution 1373 (2001), the Committee will bear in mind all international best practices, codes and standards that are relevant to its implementation.

III. Technical assistance

13. The facilitation of the provision of technical assistance to countries in need will remain one of the Committee's priorities. The 14 November report by the Chair is clear about the need to study and develop the means necessary to ensure that technical assistance receives the appropriate attention from the Committee and the Security Council. In order for the Committee to play a more dynamic role in the area of technical assistance, its current working methods need to be reviewed.

14. The Committee has developed the Directory of Counter-Terrorism Information and Sources of Assistance, which can be consulted on its web site, at http://www.un.org/Docs/sc/committees/1373/ctc_da/index.html. The Directory is designed to be a source of information on counter-terrorism-related best practices, model laws and available assistance programmes. The Committee encourages all States seeking assistance or guidance in the matters covered by resolution 1373 (2001) to use this online information tool.

15. The Committee and its experts are ready, wherever possible, to facilitate the provision of assistance programmes to States in order to further the implementation of resolution 1373 (2001).

IV. Transparency in the work of the Committee

16. Transparency will continue to be a hallmark of the work of the Counter-Terrorism Committee.

17. The Committee will continue to provide information on its activities on a regular basis, including briefings for interested delegations by the Chairman. The next briefing will take place before the end of January. As a general rule, the Chair will brief interested delegations at least once a month unless it is not considered necessary to do so.

18. The Committee has an informative web site (http://www.un.org/sc/ctc) that has become an essential source of information on all aspects of the implementation of resolution 1373 (2001). In accordance with paragraph 15 of the ninth work programme, and after several months of work, the web site is fully operational in all United Nations languages.

19. The Chairman and the Committee's experts will continue to maintain close relations with organizations and agencies of the United Nations system on aspects relevant to international counter-terrorism efforts, within the scope of the mandate contained in resolution 1373 (2001).

20. States are encouraged to make direct contact with the Committee's subcommittees or experts to seek any clarification on the issues covered in their correspondence with the Committee or on any other issue (tel.: 1-212-963-3520 or 1-212-457-1886; fax: 1-917-367-5897; e-mail: ctc@un.org).

21. The Committee has updated its web site as a source of detailed information on all issues related to resolution 1373 (2001). The Committee will continue to offer all regional and subregional organizations the opportunity to submit information on their activities and action plans in order to distribute them more widely among States that need assistance. The Committee also encourages organizations to continue to submit information on international best practices, codes and standards relevant to the implementation of resolution 1373 (2001) and on any modes of assistance and guidance in implementing those best practices, codes and standards.

V. Cooperation between the Committee and international, regional and subregional organizations

22. The Committee has continued to expand its contacts and cooperation with international, regional and subregional organizations as outlined in the action plan agreed following the special meeting of the Committee held on 6 March 2003. Following paragraph 20 of the Committee's ninth work programme, and in order to strengthen its cooperation with these organizations, the Chairman has visited several institutions based in Europe, where he met with the Counter Terrorism Action Group of the G-8 in Paris; UNODC, IAEA and OSCE in Vienna; NATO, the European Union, the World Customs Organization, UNICRI and EUROPOL in Brussels; and the Council of Europe in Strasbourg.

23. The next follow-up meeting between the Committee and international, regional and subregional organizations will be hosted by OSCE with the support of UNODC and will take place in Vienna on 12 March 2004. The Committee will closely consider its agenda and list of participants in order to ensure that this meeting results in the adoption of practical and concrete measures.

24. The Chairman and the Committee's experts will continue to establish contacts with organizations outside the United Nations system by attending regional meetings and conferences.

VI. Future work of the Committee

25. The Committee will submit to the Security Council a report on the measures to be taken in order to confront the problems in the implementation of resolution 1373 (2001) encountered both by Member States and the Committee itself, as outlined in the 14 November report of the Chair.